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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,172	09/11/2003	Ramanathan T. Jagadeesan	062891.1175	7595

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EXAMINER	
PHU, SANH D	

ART UNIT	PAPER NUMBER
2682	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/660,172	JAGADEESAN ET AL.	
	Examiner	Art Unit	
	Sanh D. Phu	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action responses to the amendment filed on 6/6/2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8-32 rejected under 35 U.S.C. 102(e) as being anticipated by Marsh et al (2004/0266426)(previously cited).

-Regarding to claim 1, see Fig. 6 and 15, sections [0151]-[0163], Marsh et al disclose an apparatus for delivering one or more features in a network environment, comprising:

An apparatus for delivering one or more features in a network environment, comprising:

an Internet protocol (IP) private branch exchange (PBX) (344, Fig. 6) operable to receive a request (152A, Fig. 6) from selected one of a communication device (158) and a mobile station (130), the request being used to establish a communication session that implicates the mobile station, the IP PBX responding to the request by signaling (150) to a cellular data network (Fig. 6) that a call is being initiated that involves the mobile station, wherein the IP PBX is operable to exchange signaling information (342A, 342B) with a voice gateway (340 of Fig. 6, section [0146]) after receiving the request such that one or more voice circuits (342C, 342D, 342E) are established by the voice gateway in order to accommodate voice data that may propagate between the communication device (158) and the mobile station (130), and wherein a signaling pathway (342A-342E) is established between the IP PBX and the mobile station via the cellular data network in response to the request, the establishment of the signaling pathway being substantially concurrent with the establishment of one or more of the voice circuits such that one or more

features associated with a private network are delivered to the mobile station during the communication session (see fig. 6 and 15).

-Regarding to claim 2, Marsh et al disclose the apparatus wherein the IP PBX and the communication device exchange signaling information associated with the communication session after the request is received by the IP PBX (see Fig. 14).

-Regarding to claim 3, Marsh et al disclose the apparatus wherein the IP PBX communicates call-identification information (SIP URL or IP address) to the mobile station after receiving the request from the communication device (see section [0145]).

-Regarding to claim 4, Marsh et al disclose the apparatus wherein signaling information associated with one or more functions performed at the mobile station and involving one or more of the features associated with the private network are received by the IP PBX and processed therein during the communication session (see Fig. 14, sections [0144]-[0150]).

-Regarding to claim 5, Marsh et al disclose the apparatus wherein the communication session is presented to an end user of the mobile station in a

manner that is consistent with a display, which may be offered in the private network (see Fig. 7 and 8).

-Regarding to claim 6, Marsh et al disclose the apparatus wherein the IP PBX is capable of identifying that the mobile station is equipped to accommodate one or more of the features associated with the private network and one or more of the features associated with the cellular data network (see Fig. 7, 8 , sections [0095]-[0103]).

-Regarding to claim 8, see Fig. 6 and 15 and sections [0151]-[0163], Marsh et al disclose that an apparatus for delivering one or more features in a network environment, comprising:

a mobile station operable to conduct a communication session involving a communication device (156, see Fig. 6), an Internet protocol (IP) private branch exchange (PBX) (344) being operable to receive a request from a selected one of the communication device (156) and the mobile station (130) to establish the communication session, the IP PBX responding to the request by signaling (150) to the mobile station via a cellular data network (Fig. 6) that a call is being initiated that involves the mobile station, wherein the IP PBX (344)

is operable to exchange signaling information (342A, 342B) with a voice gateway (340, Fig.6, section [0146]) after receiving the request such that one or more voice circuits (342C, 342D, 342E) are established by the voice gateway in order to accommodate voice data that may propagate between the communication device (158) and the mobile station (130), and wherein a signaling pathway (342A-342E) is established between the IP PBX and the mobile station via the cellular data network in response to the request, the establishment of the signaling pathway being substantially concurrent with the establishment of one or more of the voice circuits such that one or more features associated with a private network are delivered to the mobile station during the communication session (see Fig. 6 and 15).

-Regarding to claim 9, Marsh et al disclose the apparatus wherein the mobile station includes an operations/administration (OA) (processor, see Fig. 8) and management/policies (MP)(controller, see Fig. 8) element operable to provide provisioning applications for the mobile station, the provisioning applications being associated with one or more policies provided to an end user of the mobile station (see Fig. 7 and 8).

-Regarding to claim 10, Marsh et al disclose the apparatus wherein the mobile station includes a general module that is operable to provide a communicative platform from which one or more of the features associated with the private network are delivered (see Fig. 7 and 8).

-Regarding to claim 11, Marsh et al disclose the apparatus wherein signaling information associated with one or more functions performed at the mobile station and involving one or more of the features associated with the private network are received by the IP PBX and processed therein during the communication session (see Fig. 3, 6 and 14, sections [0076], [0144]-[0150]).

-Regarding to claim 12, Marsh et al disclose the apparatus wherein the mobile station includes a functions element operable to perform scanning and roaming functionalities for the mobile station (see Fig. 9 and 19, sections [0104] and [0178]).

-Regarding to claim 13, Marsh et al disclose the apparatus wherein the functions element is further operable to provide power management and wireless local area network (WLAN) operations for the mobile station (see Fig. 7 and 8).

-Regarding to claim 14, Marsh et al disclose the apparatus wherein the mobile station includes one or more virtual drivers (400, 402, see Fig. 8) operable to communicate with the functions element in order to facilitate a selected communications protocol being implemented in the communication session (see sections [0096]-[0103]).

-Regarding to claim 15, see Fig. 6 and 15, sections [0151]-[0163], Marsh et al disclose a method for delivering one or more features in a network environment, comprising:

receiving a request (746, 748) from a selected one of a communication device (158) and a mobile station (130) to establish a communication session that involves the mobile station (130) (see Fig. 6);

responding to the request by signaling (150) to the mobile station via a cellular data network that a call is being initiated that involves the mobile station (see Fig. 6 and 15);

exchanging signaling information (342A, 342B) with a voice gateway (340) after receiving the request such that one or more voice circuits (342C, 342D, 342E) are established by the voice gateway in order to accommodate

voice data that may propagate between the communication device and the mobile station (see Fig. 6 and 14, sections[0151]-[0163]); and

establishing a signaling pathway (342A-342E) between an Internet protocol (IP) private branch exchange (PBX) and the mobile station via the cellular data network in response to the request, wherein the establishment of the signaling pathway is substantially concurrent with the establishment of one or more of the voice circuits such that one or more features associated with a private network are delivered to the mobile station during the communication session (see Fig. 6 and 14, sections [0151]-[0163]).

-Claim 16 is rejected with the similar reason as set forth in claim 2.

-Claim 17 is rejected with the similar reason as set forth in claim 3.

-Claim 18 is rejected with the similar reason as set forth in claim 4.

-Claim 19 is rejected with the similar reason as set forth in claim 5.

-Claim 20 is rejected with the similar reason as set forth in claim 6.

-Regarding claim 21, see Fig. 6 and 14, sections [0151]-[0163], Marsh et al disclose a system/software for delivering one or more features in a network environment, comprising:

means (344) for receiving a request from one of a communication device (158) and a mobile station (130) to establish a communication session associated with the mobile station (see Fig. 6);

means (344) for responding to the request by signaling (150) to the mobile station via a cellular data network that a call is being initiated that involves the mobile station (see Fig. 6);

means for exchanging signaling information (342A, 342B) with a voice gateway (340) after receiving the request such that one or more voice circuits (342C, 342D, 342E) are established by the voice gateway in order to accommodate voice data that may propagate between the communication device and the mobile station(see Fig. 6 and 15, sections); and

means for establishing a signaling pathway coupled to the cellular data network in response to the request, wherein the establishment of the signaling pathway (342A-342E) is substantially concurrent with the establishment of one or more of the voice circuits such that one or more features associated with a private network are delivered to the mobile station during the communication session (see Fig. 6 and 14, sections[0151]-[0163]).

-Claim 22 is rejected with the similar reason as set forth in claim 2.

-Claim 23 is rejected with the similar reason as set forth in claim 3.

-Claim 24 is rejected with the similar reason as set forth in claim 4.

-Claim 25 is rejected with the similar reason as set forth in claim 5.

-Claim 26 is rejected with the similar reason as set forth in claim 6.

-Regarding to claim 27, see Fig. 6 and 14, sections [0151]-[0163], Marsh et al disclose that software for delivering one or more features in a network environment, the software being embodied in a computer readable medium and comprising computer code such that when executed is operable to:

receive a request (746, 748, see Fig. 15) from a selected one of a communication device (158) and a mobile station (130) to establish a communication session that involves the mobile station (see Fig. 6, 15);

respond to the request by signaling (150) to the mobile station via a cellular data network that a call is being initiated that involves the mobile station (see Fig. 6);

exchange signaling information (342A, 342B) with a voice gateway after receiving the request such that one or more voice circuits (342C, 342D, 342E)

are established by the voice gateway in order to accommodate voice data that may propagate between the communication device and the mobile station (see Fig. 6); and

establish a signaling pathway (342A-342E) via the cellular data network in response to the request, wherein the establishment of the signaling pathway is substantially concurrent with the establishment of one or more of the voice circuits such that one or more features associated with a private network are delivered to the mobile station during the communication session (see Fig. 6 and 14, sections[0151]-[0163]).

-Claim 28 is rejected with the similar reason as set forth in claim 2.

-Claim 29 is rejected with the similar reason as set forth in claim 3.

-Claim 30 is rejected with the similar reason as set forth in claim 4.

-Claim 31 is rejected with the similar reason as set forth in claim 5.

-Claim 32 is rejected with the similar reason as set forth in claim 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh et al (2004/0266426).

-Regarding to claim 7, Maersh et al disclose the apparatus wherein the one or more of the features associated with the private network are a selected one of a group of elements consisting of:

a) a "hold" function (see section [0131]);

b) a conference call function (see section [0056]);

c) a mute function (210N, see Fig. 7);

d) a voice mail function (see section [0056]);

e) a do not disturb function (see section [0056]);

f) a message alert function (206A, see Fig. 7);

h) a call forwarding function (206C, see Fig. 7);

i) a call waiting function (section [0024]);and

j) a directory function (roll-over of unanswered calla) (see section [0056]).

He does not specifically discloses a three-way call function, however, the examiner takes Official Notice that three-way call is well known in the art. It would have been obvious for one skilled in the art to have a three-way call in Marsh et al, so that the user is able to communicate with the third person.

Response to Argument

Applicant's arguments with respect to claims 1-32 have been considered but they are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682

NICK CORSARO
PRIMARY EXAMINER

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